**THE HONOURABLE SRI JUSTICE T.CH.SURYA RAO**
**AND**
**THE HONOURABLE SRI JUSTICE G. CHANDRAIAH**

**WRIT PETITION NO.21440 OF 2006**

**DATED: 20-12-2006**

**BETWEEN:**

Sri Venkateswara Hill Colony
Lokayata Co-operative Housing Society,
Gaddiannaram rep., by its President,
T. Vishnu Murthy, W/o. Late Laxmaiah
... Petitioner

And

The State of A.P. rep. By
The Mandal Revenue Officer,
Moosarambagh, Hyderabad and another
...Respondents

**THE HONOURABLE SRI JUSTICE T.CH.SURYA RAO**
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**ORDER:** (per TCSR,J)

The grievance of the writ petitioner seems to be that he being the purchaser from trustee of the temple, he was not allowed to come on record in L.G.C.No.176/97 without passing appropriate orders on the interlocutory application filed by him seeking to come on record.

L.G.C.No.176/97 was filed by the State against as many as 72 respondents alleging inter alia that the respondents were the land grabbers. The State seems to have been claiming the property in dispute as its property having vested in it when the declarant, who filed a declaration under the Urban Land Ceiling Act was eventually found to be in excess of the ceiling limit. However, the present writ petitioner is claiming right over the property in dispute, which is the subject

matter of L.G.C.176/97 independently as against the State and as against the Endowment Department. The temple, which also claims the property as its own property filed an application seeking to come on record and that the said application having been considered, 72 respondents were allowed to be added. Unfortunately the application of the present writ petitioner has not been considered. Notwithstanding the same, the remedy of the petitioner is elsewhere when he is independently claiming title over the property, in respect of which, the State is also claiming title under the provisions of the Urban Land Ceiling Act. Therefore, it is appropriate for the writ petitioner to file a properly constituted application before the Special Court impleading even the State and the Endowments Department as respondents therein apart from the other respondents 1 to 72, who are allegedly the grabbers.

In that view of the matter, the instant writ petition cannot be considered. However, liberty is given to the petitioner to pursue his appropriate remedy before the Special Court.

Accordingly, the writ petition is dismissed at the threshold without any costs.

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**T.CH. SURYA RAO, J.**

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**G. CHANDRAIAH, J.**

Dated: 20..12..2006.
Rns.

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**WRIT PETITION NO.21440 OF 2006**

**(Order of the Division Bench delivered by the Honourable Sri Justice. T.Ch.Suryarao.**

**DATED: 20-12-2006**